

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	MB Docket No. 17-106
Elimination of Main Studio Rule)	
)	

To: The Commission

COMMENTS OF MBC GRAND BROADCASTING, INC.

MBC Grand Broadcasting, Inc. (“MBC Grand”), by counsel, hereby respectfully submits these Comments in support of the Notice of Proposed Rulemaking issued on May 18, 2017, in the above-captioned proceeding¹ to repeal the Main Studio Rule.²

As the licensee and operator of four AM and four FM broadcast stations in Western Colorado, MBC Grand is directly interested in the Commission’s proposal to repeal the Main Studio Rule.³ MBC Grand and its predecessor entity have been serving Western Colorado for nearly 30 years and MBC Grand anticipates continuing to serve its stations’ communities by keeping them apprised of significant local needs and issues for decades to come.⁴ Repeal of the Main Studio Rule would reduce unnecessary regulatory and economic burdens by providing

¹ *Elimination of Main Studio Rule*, Notice of Proposed Rulemaking, 32 FCC Rcd 4415, 4415 ¶ 1 & 4418 ¶ 6 (2017) (“NPRM”).

² In the recent NPRM, the Federal Communications Commission (“FCC” or “Commission”) proposes eliminating 47 CFR §73.1125, the “rule that requires each AM, FM, and television broadcast station to maintain a main studio located in or near its community of license” (the “Main Studio Rule”), as well as eliminating the “staffing and program origination capability requirements” that are associated with the Main Studio Rule.

³ MBC Grand is the licensee of broadcast stations KNZZ(AM), KTMM(AM), KMOZ-FM, KMGJ(FM), and KKVT(FM), all Grand Junction, CO. MBC Grand is also the licensee of broadcast stations KGLN(AM), Glenwood Springs, CO, KNAM(AM), Silt, CO, and KSTR-FM, Montrose, CO.

⁴ NPRM at 4418 ¶ 8.

increased flexibility as well as lower administrative and compliance costs currently incurred by MBC Grand's stations. Enabling MBC Grand stations to co-locate their studios would simply be more efficient.⁵

The primary regulatory justifications for the Main Studio Rule have been eliminated. The program origination requirement was eliminated in 1987.⁶ Then the Commission's public inspection file requirements were modernized and moved online.⁷ In January of this year, the Commission repealed the local correspondence file rule.⁸ Additionally, technology has made the local studio unnecessary for listeners to access or communicate with their local stations.⁹ The proposed repeal is especially important to geographically expansive and sparsely populated regions like Western Colorado where technology has supplanted the need to physically visit a remote main studio.

I. THE GEOGRAPHY OF WESTERN COLORADO IS AN EXAMPLE OF THE IMPRACTICALITY OF THE CURRENT MAIN STUDIO RULE

MBC Grand is the proud licensee of radio stations serving smaller communities and sparsely populated areas separated by large distances. However, the geography of Western Colorado should serve as an example to the Commission of the impracticality of a rule that was developed almost 80 years ago and based on the legacy concept that in-person visits from community members are the best way for stations to connect with local listeners.

⁵ NPRM at 4418 ¶ 7.

⁶ NPRM at 4419 ¶ 9.

⁷ NPRM at 4415 ¶ 1 & n.4.

⁸ *Revisions to Public Inspection File Requirements – Broadcaster Correspondence File and Cable Principal Headend Location*, Report and Order, 32 FCC Rcd 1565 (2017); MBC Grand stations have not yet moved their public inspection files online, but the stations will certainly do so by the Commission's March 1, 2018 deadline.

⁹ NPRM at 4418 ¶ 6.

Thousands of people live in small communities and isolated areas in Western Colorado. For example, MBC Grand has stations in Mesa County which spans 3,341 square miles with a population of fewer than 150,000 people.¹⁰ Similarly, MBC Grand has two stations in Garfield County, which is 2,956 square miles with a population of fewer than 60,000 people.¹¹ MBC Grand also has a station in Montrose County which is 2,243 square miles and has a population of fewer than 45,000 people.¹²

Moreover, the vast geographical territory of Western Colorado includes the southern Rocky Mountains and the Colorado Plateau. Elevation can rise to more than 14,000 feet in the Rockies. Between the mesas and mountain ranges there are broad valleys and deep narrow canyons. The counties in the region make up half of Colorado's land area, but some counties have fewer than two people per square mile. Residents must confront the perils associated with flash floods, forest and brush fires, rock-slides, blizzards and avalanches. The terrain, severe winters, and the Continental Divide all provide a physical separation from the eastern half of the state thereby contributing to low population density in Western Colorado.

Because of the geography of Western Colorado, in-person visits to a main studio have always been impractical and, as discussed below, technological advancements have made the Main Studio Rule obsolete. Freeing up resources currently devoted to complying with the Main Studio Rule will allow MBC Grand to use those funds to further its vital role in delivering news and information about local emergencies – a service that is especially important in regions like Western Colorado where people spend a substantial amount of drive time and therefore are highly dependent on radio for information.

¹⁰ KNZZ(AM), KTMM(AM), KMOZ-FM, KMGJ(FM), and KKVT(FM) all serve Grand Junction in Mesa County.

¹¹ KGLN(AM), Glenwood Springs and KNAM(AM), Silt are located in Garfield County.

¹² KSTR-FM, Montrose, Colorado.

II. CHANGES IN TECHNOLOGY AND ACCESS TO THE PUBLIC FILE SUPPORT THE REPEAL OF THE MAIN STUDIO RULE

Changes in web access have allowed the public file to go online – which is far more convenient than driving to a main studio across sparsely populated areas separated by large distances. Also, the near ubiquity of remote communication in the form of cell phones, email, and social media, have made in-person visits from community members unnecessary, if not obsolete.¹³

As Commissioner O’Rielly has pointed out, the justification for the Main Studio Rule has been “significantly weakened” due to the public’s virtually universal choice to contact their local stations via telephone, mail, or (more recently) online.¹⁴ And this change in consumer preference has been recognized by the Commission in rulemakings since at least 1987.¹⁵

As the FCC noted when it moved the public inspection files online, “[t]he evolution of the Internet and the spread of broadband infrastructure have transformed the way society accesses information today. It is no longer reasonable to require the public to travel to a station or headquarters’ office to review the public file and make paper copies when a centralized, online file will permit review with a quick, easy, and almost costless Internet search.”¹⁶

The modern reality of, and overwhelming preference for, remote communication will allow stations to continue to be responsive to local interests and concerns – and to do so without the unnecessarily expending limited resources to maintain a main studio.

¹³ NPRM at 4418 ¶ 8.

¹⁴ Michael O’Rielly, Comm’r, FCC, Address at the 2017 Hispanic Radio Conference, at p.3 (Mar. 28, 2017) available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db0328/DOC-344114A1.pdf.

¹⁵ 1987 Report and Order, 2 FCC Rcd at 3218 ¶ 32; 1998 Report and Order, 13 FCC Rcd at 15702 ¶ 22.

¹⁶ *Expansion of Online Public File Obligations To Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Report and Order, 31 FCC Rcd 526, 527 ¶ 2 (2016).

III. CONCLUSION

As the licensee and operator of four AM and four FM broadcast stations serving Western Colorado, MBC Grand supports the Commission's proposal to repeal the Main Studio Rule. MBC Grand is dedicated to serving its listeners local needs and covering local issues.¹⁷ However, MBC Grand's commitment to be responsive to local interests and concerns and to deliver responsive local programming has no connection to the legacy and unnecessary regulatory requirements of the Main Studio Rule.

As the Commission considers repeal of the Main Studio Rule, the FCC should (1) think of the geography of Western Colorado and how it serves as an example of the impracticality of the current Main Studio Rule, and (2) recognize how changes in technology and access to the public file support repeal of the Main Studio Rule.

Respectfully submitted,

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¹⁷ NPRM at 4418 ¶ 8.